

conciliations, and the defendant ought to take issue on one at his peril. He will therefore not be permitted to prove any other elopement than that mentioned in his plea.

**Effect of reconciliation.**—On reconciliation the wife will be entitled to dower in lands purchased and aliened by the husband during the elopement, as well as to dower in lands of which he was seised at the time she left him and aliened by him during that time, Co. Litt. 33 a. n. 8; 13 Rep. 23. A jointure is not forfeited by elopement or adultery, *Sidney v. Sidney*, 3 P. Wms. 268; nor will the circumstance of a wife's living separate from her husband in adultery prevent a Court of equity from decreeing the specific execution of articles in her favour, *Blount v. Winter*, cited in the note, 3 P. Wms. 277. In *Seagrave v. Seagrave*, 13 Ves. Jun. 439, where a bill was filed by a married woman, claiming under a bond given by her husband to a trustee for her separate maintenance, and admitted to have been destroyed by the husband and trustee by reason of subsequent acts of adultery, the bill was retained with liberty to the widow to bring an action on the bond, so that mere adultery is no bar in equity; and see *Jee v. Thurlow*, 2 B. & C. 553; *Buchanan v. Buchanan*, 1 Ball & Beatt. 206; *Legard v. Johnson*, 3 Ves. Jun. 500. The wife does not forfeit her right to her thirds by adultery and elopement. By the Code, Art. 30, sec. 11,<sup>1</sup> a woman convicted of bigamy forfeits her dower and thirds in the estate of her first husband. If the husband be the offender, his first wife shall on his conviction be entitled to her dower and thirds in his estate, and he forfeits all his right as tenant by the curtesy, and all his claim to any estate personal or mixed which he may have in right of his first wife.

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<sup>1</sup> Code 1904, Art. 27, sec. 19.

**Effect of divorce.**—A decree of absolute divorce destroys all property rights of each of the parties in the other's property, including, of course, dower; but a decree of limited divorce has no such effect. *Hokamp v. Hagaman*, 36 Md. 511; *Frampton v. Stephens*, 21 Ch. D. 164; *Harlan's Domestic Relations* 36. In Maryland the court which decrees a divorce has power to award the wife such property as she had when married, or the value of the same, or such part thereof as it may deem reasonable. Code 1911, Art. 16, sec. 38; *Tyson v. Tyson*, 54 Md. 35; *Reed v. Reed*, 109 Md. 690.

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## CAP. XXXVII.

No Distress shall be taken but by Bailiffs known and sworn.

<p>Forasmuch also as Bailiffs, to whose Office it belongeth to take Distresses, intending to grieve their Inferiors, that</p>	<p>Quia etiam ballivi ad quos ex officio pertinet districtiones facere volentes subditos suos gravare ut ab eis pecuniam ex-</p>
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